



CITY COUNCIL AGENDA REPORT

MEETING DATE: AUGUST 1, 2006

ITEM NUMBER:

SUBJECT: REZONE PETITION R-06-02 FOR THE PROPERTY LOCATED AT 1450 ADAMS AVENUE

DATE: JULY 18, 2006

PRESENTATION BY: R. MICHAEL ROBINSON, AICP, ASSISTANT DEV. SVS. DIRECTOR

**FOR FURTHER INFORMATION CONTACT: REBECCA ROBBINS, ASSISTANT PLANNER
(714) 754-5609**

RECOMMENDED ACTION:

Give first reading to the attached ordinance, which rezones the subject property from CL (Commercial Limited) and I&R (Institutional & Recreational) to P (Off-Street Parking).

BACKGROUND

The project site is 4 acres (approximately 230 feet by 770 feet) in size and is located on the north side of Adams Avenue between Harbor Boulevard and Pinecreek Drive (See Attachment 1). The project site is a portion of the larger 13.4-acre parcel that is owned by the Coast Community College District. In June 1977, Conditional Use Permit ZE-77-119 was approved on the westerly 71,000 square-foot portion of the property for outdoor storage of automobiles. Connell Chevrolet currently parks vehicles on this area.

The project site is zoned CL (Commercial Limited) and I&R (Institutional & Recreational) with a General Plan designation of Public/Institutional (See Attachment 1). Staff notes that the CL zone is not consistent with the Public/Institutional land use designation. This inconsistency occurred in June 1988 when the City changed the land use designation from Urban Center Residential to Public and Semi-Public on the entire 13.4-acre parcel without initiating a corresponding rezone.

On July 10, 2006, Planning Commission recommended adoption of the proposed rezone on a 4-0 vote (Perkins abstained). Please refer to the Planning Commission staff report and meeting minutes for additional information in Attachment 3)

ANALYSIS

The applicant proposes to rezone the project site to P (Off-Street Parking) to accommodate additional vehicle parking for the neighboring auto dealership, Connell Chevrolet. The P zoning district only allows as a permitted use parking lots and buildings incidental to the operation of the parking lot. Staff shall be responsible for reviewing the project site's development plan to ensure that all applicable codes are met. The change in zoning from CL and I&R to P would not result in an inconsistent zoning pattern with the adjacent commercial and residential properties. The proposed P zone on 4 acres will also resolve the existing zoning inconsistency with the General Plan.

ENVIRONMENTAL DETERMINATION

Pursuant to Section 15332 (In-Fill Development Projects) of the California Environmental Quality Act (CEQA) Guidelines, this project is categorically exempt from CEQA.

ALTERNATIVES

The City Council may consider the following alternatives:

1. Approve the proposed rezone. The proposed rezone is found to be in conformity with the City's General Plan and Zoning Code. The approval of the requested action would allow the subject property to be used as a private parking lot.
2. Deny the proposed rezone. The existing CL zoning on the westerly portion of the property will remain inconsistent with the Public/Institutional General Plan land use designation.

FISCAL ANALYSIS


The proposed project does not require fiscal review.

LEGAL ANALYSIS


The City Attorney's office has reviewed the draft ordinance and approved it as to form.

CONCLUSION

The proposed P zoning would resolve an existing General Plan/Zoning inconsistency and would allow the future use of the project site as a parking lot by the adjacent Connell Chevrolet dealership. Staff review of the site's development plan will ensure compliance with all applicable codes and compatibility with surrounding land uses.


REBECCA ROBBINS
Assistant Planner


R. MICHAEL ROBINSON, AICP
Asst. Dev. Svs. Director


DONALD D. LAMM, AICP
Deputy City Mgr. – Dev. Svs. Director

- Attachments:
1. Figures & Site Photographs
 2. Ordinance
 3. Planning Commission Resolution, Minutes, and Staff Report

cc: City Manager
Asst. City Manager
Deputy City Manager-Dev. Svs. Director
City Attorney
City Clerk (2)
Staff (4)
File (2)

Tom Denman
17842 Mitchell North, Suite #200
Irvine, CA 92614

Coast Community College District
c/o Kenneth Yelesias
1370 Adams Avenue
Costa Mesa, Ca 92626








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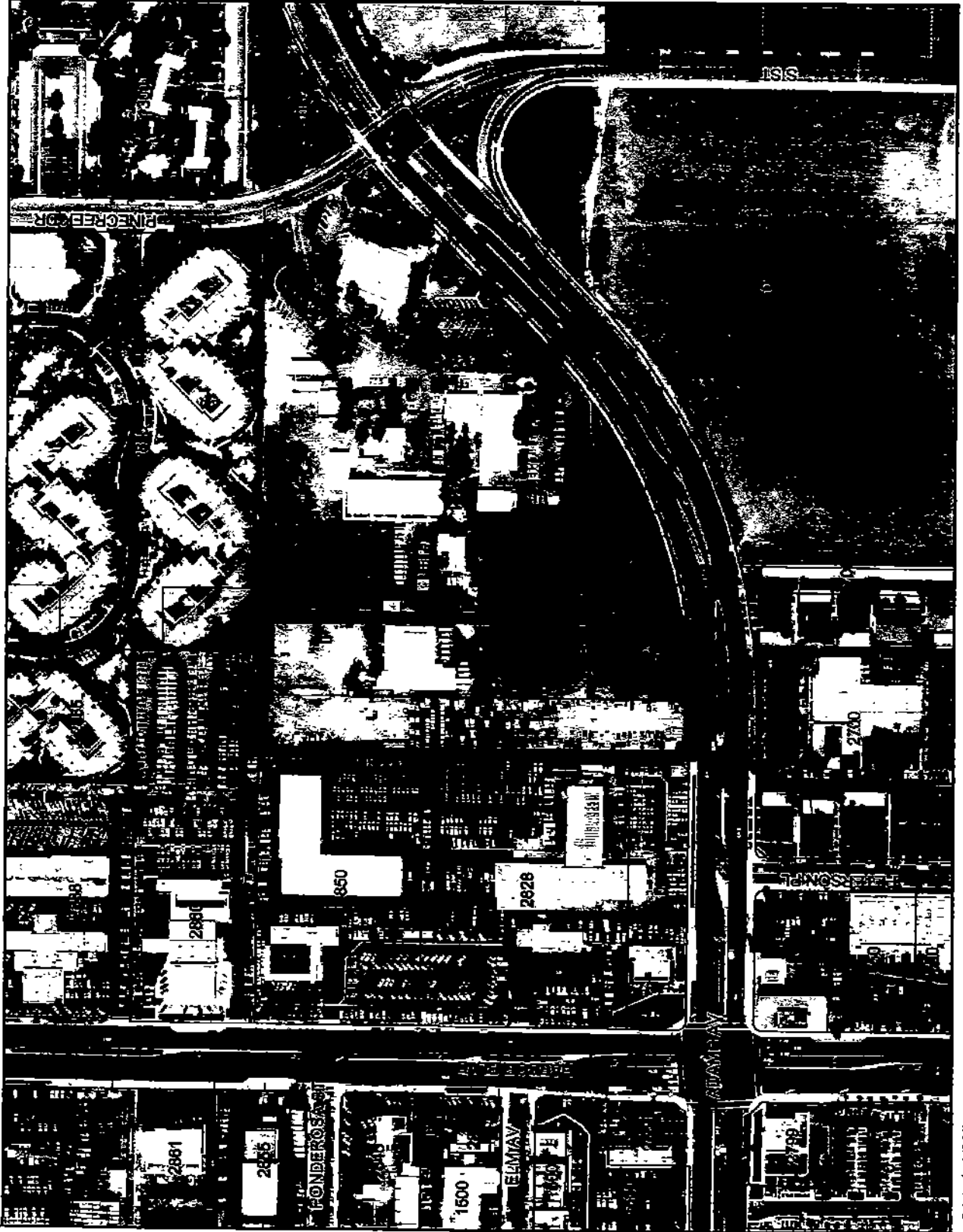
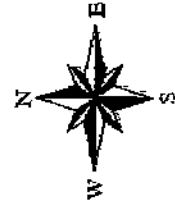
Attachment 1

FIGURES & SITE PHOTOGRAPHS

Vicinity Map

Legend

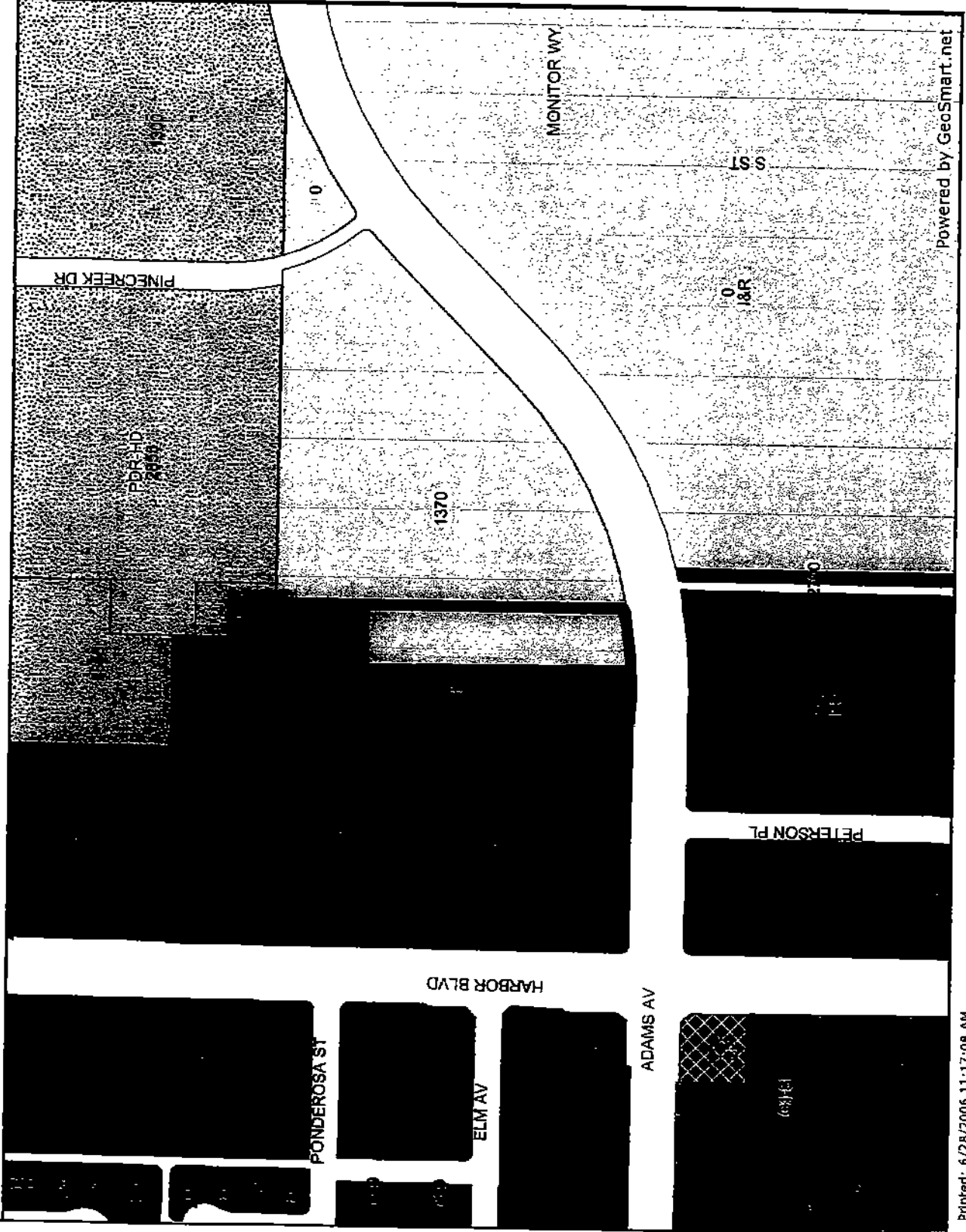
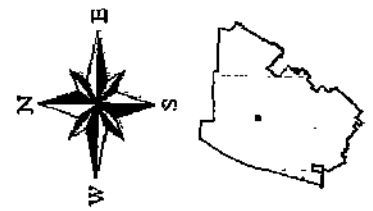
-  Identified Features
-  Parcel Addresses
-  Street Names
-  Parcel Lines
-  City Boundary
-  Ortho Photography
-  Parcels



Existing Zoning Map

Legend

- Selected Features
 - Parcel Addresses
 - Street Names
 - Parcel Lines
 - City Boundary
 - Zoning
- | | | | | | | | | | | | | | | | | | | | | |
|----|----|------|----|----|-----|-------|----|----|---|-----|-----|--------|--------|--------|---------|----|-------|-------|----|----|
| AP | C1 | C1-S | C2 | CL | IER | IER-S | MG | MP | P | POC | PDI | PDR-HD | PDR-LD | PDR-MD | PDR-NCM | R1 | R2-HD | R2-MD | R3 | TC |
|----|----|------|----|----|-----|-------|----|----|---|-----|-----|--------|--------|--------|---------|----|-------|-------|----|----|
- Parcels

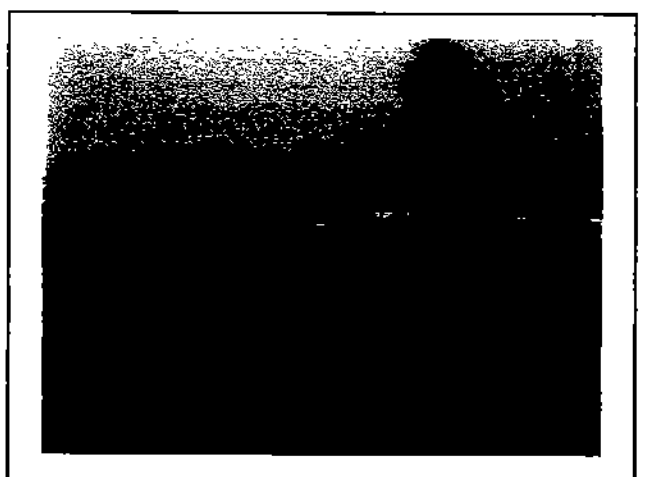
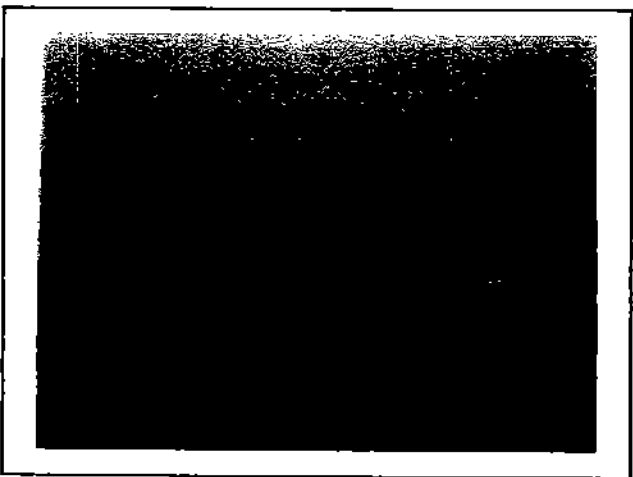
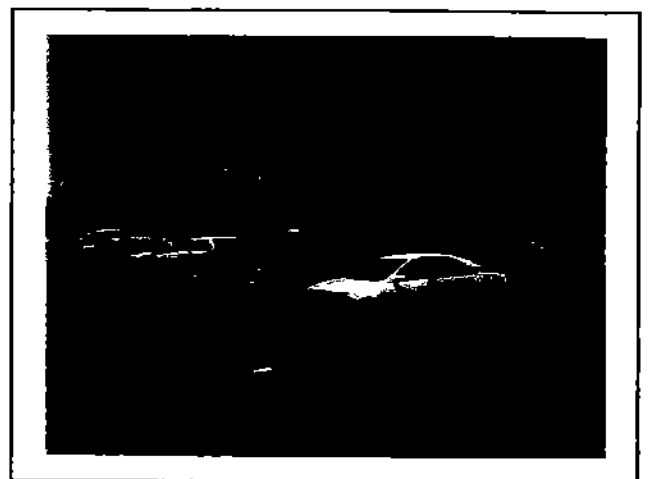
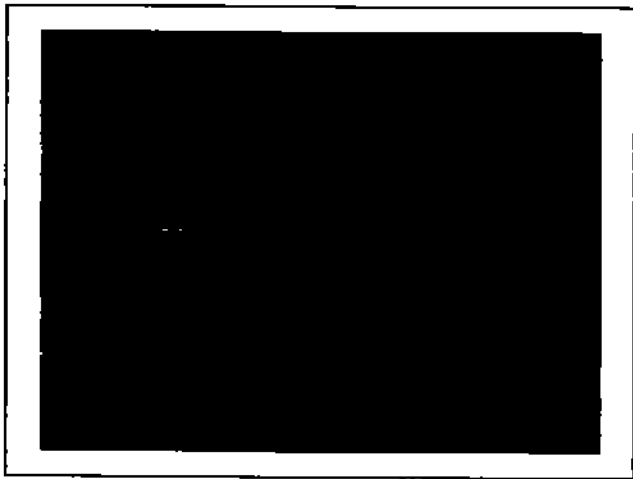


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FIGURE 2



Attachment 2

ORDINANCE

ORDINANCE 06-08

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ADOPTING PETITION R-06-02 CHANGING THE ZONING OF 1450 ADAMS AVENUE FROM CL (COMMERCIAL LIMITED) AND I&R (INSTITUTIONAL & RECREATIONAL) TO P (OFF-STREET PARKING).

THE CITY COUNCIL OF THE CITY OF COSTA MESA DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: There is hereby placed and included in the P (Off-Street Parking District) the real property on the westerly 227.84 feet of Assessor Parcel Number 141-362-05, situated in the City of Costa Mesa, County of Orange, State of California.

SECTION 2: Pursuant to the provisions of Section 13-22 of the Costa Mesa Municipal Code, the Zoning Map of the City of Costa Mesa is hereby amended by the change of zone described in Section 1 hereof and depicted in Exhibit 1.

SECTION 3: This Ordinance shall take effect and be in full force thirty (30) days from and after the passage thereof, and prior to the expiration of fifteen (15) days from its passage shall be published once in the ORANGE COAST DAILY PILOT, a newspaper of general circulation, printed and published in the City of Costa Mesa or, in the alternative, the City Clerk may cause to be published a summary of this Ordinance and a certified copy of the text of this Ordinance shall be posted in the office of the City Clerk five (5) days prior to the date of adoption of this Ordinance, and within fifteen (15) days after adoption, the City Clerk shall cause to be published the aforementioned summary and shall post in the office of the City Clerk a certified copy of this Ordinance together with the names and member of the City Council voting for and against the same.

PASSED AND ADOPTED this ____th day of August, 2006.

Mayor of the City of Costa Mesa

ATTEST:

APPROVED AS TO FORM:

City Clerk of the
City of Costa Mesa

City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF COSTA MESA)

I, Julie Folcik, City Clerk and ex-officio clerk of the City Council of the City of Costa Mesa, hereby certify that the above and foregoing Ordinance No. 06-08 was introduced and considered section by section at a regular meeting of said City Council held on the ____ day of _____, 2006, and thereafter passed and adopted as a whole at a regular meeting of said City Council held on the ____ day of _____, 2006, by the following roll call vote:

AYES:

NOES:

ABSENT:

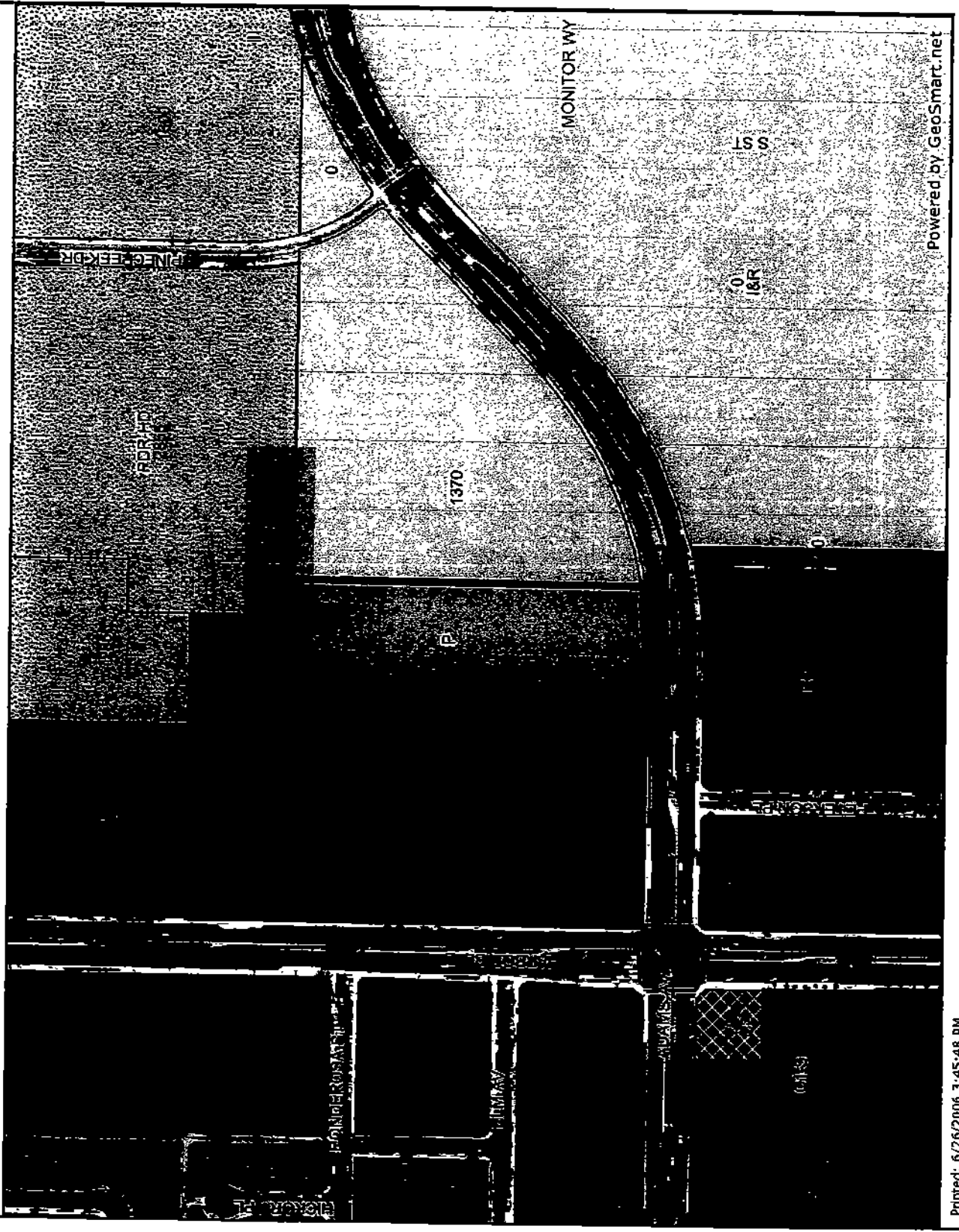
IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the City of Costa Mesa this ____ day of _____, 2006.

City Clerk and ex-officio
Clerk of the City Council of the
City of Costa Mesa

PROPOSED ZONING MAP

Legend

- ☐ Parcel Addresses
- Street Names
- Parcel Lines
- City Boundary
- Zoning
 - AP
 - C1
 - C1-S
 - C2
 - CL
 - IGR
 - IGR-S
 - MG
 - MP
 - P
 - PDC
 - PDX
 - PDR-HD
 - PDR-LD
 - PDR-MD
 - PDR-MCM
 - R1
 - R2-HD
 - R2-MD
 - R3
 - TC
- Ortho Photography
- Parcels



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EXHIBIT "1"

Attachment 3

PLANNING COMMISSION RESOLUTION, MINUTES, AND STAFF REPORT

RESOLUTION NO. PC- 06-50

**A RESOLUTION OF THE PLANNING COMMISSION OF
THE CITY OF COSTA MESA, CALIFORNIA,
RECOMMENDING APPROVAL OF REZONE PETITION
R-06-02.**

**THE CITY COUNCIL OF THE CITY OF COSTA MESA DOES HEREBY RESOLVE AS
FOLLOWS:**

WHEREAS, an application was filed by Tom Denman, authorized agent for Coast Community College District, property owner with respect to the approximately 4.0 acres of real property located at 1450 Adams Avenue, requesting a rezone from CL (Commercial Limited) and I&R (Institutional and Recreational) to P (Off-Street Parking District);

WHEREAS, the environmental review for the project was processed in accordance with the requirements of the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and the City of Costa Mesa Environmental Guidelines, and the project was determined to be categorically exempt pursuant to Section 15061 of the CEQA Guidelines; and

WHEREAS, the proposed rezone will resolve an existing General Plan and zoning inconsistency.

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "A", the Costa Mesa Planning Commission hereby RECOMMENDS APPROVAL of Rezone Petition R-06-02 to the City Council as illustrated in Exhibit "B".

PASSED AND ADOPTED this 10th day of July, 2006.



Bill Perkins, Chairman
Costa Mesa Planning Commission

COUNTY OF ORANGE)

I, R. Michael Robinson, secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution was passed and adopted at a meeting of the City of Costa Mesa Planning Commission held on July 10, 2006, by the following votes:

AYES: COMMISSIONERS: HALL, EGAN, FISLER, GARLICH

NOES: COMMISSIONERS: NONE

ABSENT: COMMISSIONERS: NONE

ABSTAIN: COMMISSIONERS: PERKINS


Secretary, Costa Mesa
Planning Commission








EXHIBIT "A"

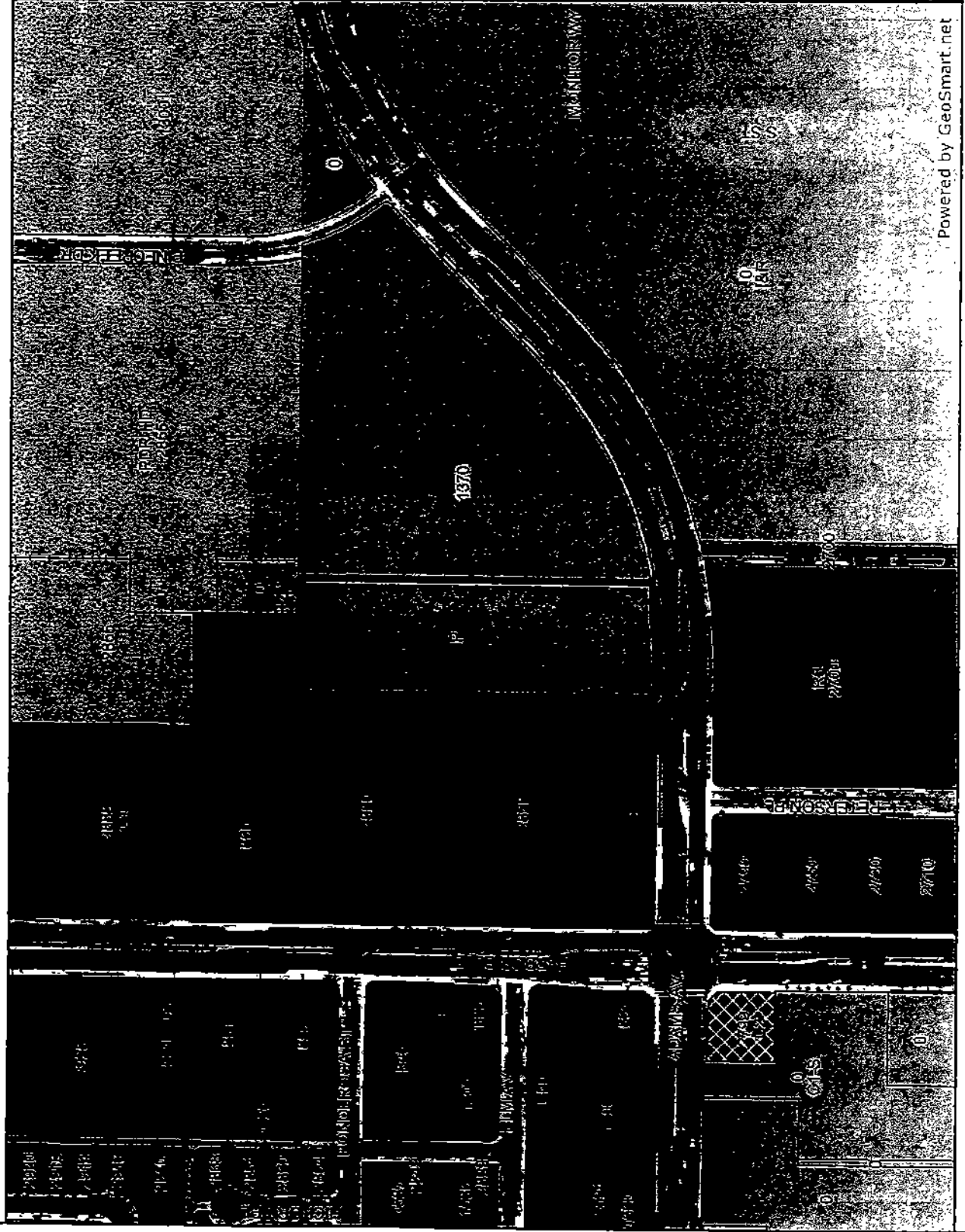
FINDINGS

- A. The information presented substantially complies with Costa Mesa Municipal Code Section 13-29(g)(4) in that the proposed rezone is consistent with the General Plan and Zoning Code.
- B. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City environmental procedures, and has been found to be exempt from CEQA.

PROPOSED ZONING MAP

Legend

-  Parcel Addresses
-  Street Names
-  Parcel Lines
-  City Boundary
-  Zoning
-  AP
-  C1
-  C1-S
-  C2
-  CL
-  IBR
-  IBR-S
-  MG
-  MP
-  P
-  PDC
-  PDI
-  PDR-HD
-  PDR-LD
-  PDR-MD
-  PDR-NCM
-  R1
-  R2-HD
-  R2-MD
-  R3
-  TC
-  Ortho Photography
-  Parcels



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EXHIBIT "B"

Excerpt from the minutes of the Planning Commission meeting of July 10, 2006

REZONE PETITION R-06-02
City/Coast Community College

The Chair opened the public hearing for consideration of Rezone Petition R-06-02 for Tom Denman, authorized agent for Coast Community College District to rezone four (4) acres from a combination of CL (Commercial Limited) and I & R (Institutional and Recreational) to P (off-street Parking), for property located at 1450 Adams Avenue. Environmental determination: exempt.

The Chair abstained from this item because he lives within 500 feet of the property. Vice Chair Hall took over as Acting Chair.

Assistant Planner Rebecca Robbins reviewed the information in the staff report and gave a presentation. She said staff was recommending approval to City Council, by adoption of Planning Commission resolution.

Commissioner Garlich asked if he was correct in assuming that it is staff's responsibility to review the site development plans, and this evening concerns only the rezone petition. Ms. Robbins confirmed.

He said as he understood it, this was an administrative oversight that occurred and requested an explanation as to why the applicant is not the City but someone else. Planning Commission Secretary R. Michael Robinson explained that at one time, there was discussion for having the City be the applicant for this item, however, he was not sure how the final decision was made that the applicant is someone other than the City. Commissioner Garlich want the applicant to know that he has an opportunity to have his fees waived in this case, if in fact this was an oversight on the part of staff.

Tom Denman, authorized agent for Coast Community College District and Connell Chevrolet dealership. The parties are in the process for processing a lease for Connell Chevrolet dealership for parking their inventory in this area. Commissioner Garlich said the action to correct the zoning to correct an oversight and because of that, the applicant has the opportunity to ask for the fees to be waived because it wasn't his fall.

Mr. Robinson said he was looking at the existing zoning map and he recalled that the applicant filed the rezone (page 13 of the staff report), because they are expanding the area of the rezone.

No one else wished to speak and Acting Chair Hall closed the public hearing.

MOTION:
R-06-02
Recommended to City Council

A motion was made by Commissioner Garlich, seconded by Commissioner Fisler and carried 4-0 (Perkins abstained) to recommend to City Council, approval of Rezone Petition R-06-02, to rezone four (4) acres of property at 1450 Adams Avenue, from CL (Commercial Limited) and I & R (Institutional and Recreational) to P (Parking), by adoption of Planning Commission Resolution PC-06-50.

Ms. Robbins advised that this item would be going forward to the City Council agenda of August 1, 2006.



PLANNING COMMISSION AGENDA REPORT

TL.1.

MEETING DATE: JULY 10, 2006

ITEM NUMBER:

SUBJECT: REZONE PETITION R-06-02 FOR THE PROPERTY LOCATED AT 1450 ADAMS AVENUE

DATE: JUNE 27, 2006

FOR FURTHER INFORMATION CONTACT: REBECCA ROBBINS, ASSISTANT PLANNER
(714) 754-5609

DESCRIPTION

The applicant is requesting approval of a rezone from CL (Commercial Limited) and I&R (Institutional and Recreational) to P (Off-Street Parking).

APPLICANT

Tom Denman, authorized agent for Coast Community College District (property owner of 1450 Adams Avenue).

RECOMMENDATION

Recommend approval to City Council by adoption of the attached resolution.

REBECCA ROBBINS
Assistant Planner

WILLA BOUWENS-KILLEEN, AICP
Acting Asst. Dev. Svs. Director

BACKGROUND

The project site is 4 acres (approximately 230 feet by 770 feet) in size and is located on the north side of Adams Avenue between Harbor Boulevard and Pinecreek Drive (See Figure 1). The project site is a portion of the larger 13.4-acre parcel that is owned by the Coast Community College District. In June 1977, Conditional Use Permit ZE-77-119 was approved on the westerly 71,000 square-foot portion of the property for outdoor storage of automobiles. Connell Chevrolet currently parks vehicles on this area.

The project site is zoned CL (Commercial Limited) and I&R (Institutional & Recreational) with a General Plan designation of Public/Institutional (See Figure 2). Staff notes that the CL zone is not consistent with the Public/Institutional land use designation. This inconsistency occurred in June 1988 when the City changed the land use designation from Urban Center Residential to Public and Semi-Public on the entire 13.4-acre parcel without initiating a corresponding rezone.

The properties to the west are zoned C1 (Local Business) and contain auto dealerships. Properties to the north and south (across Adams Avenue) are zoned PDR-HD (Planned Development Residential – High Density) and R3 (Multiple Family Residential), respectively, and contain apartment units. The remainder of the parcel to the east is zoned I&R (Institutional & Recreation) and contains the Coast Community College District Offices.

ANALYSIS

The applicant proposes to rezone the project site to P (Off-Street Parking) to accommodate vehicle parking for the neighboring auto dealership, Connell Chevrolet. The P zoning district allows only parking lots and buildings incidental to the operation of the parking lot as a permitted use. Staff shall be responsible for reviewing the project site's development plan to ensure that all applicable codes are met. The change in zoning from CL and I&R to P would not result in an inconsistent zoning pattern with the adjacent commercial and residential properties.

The proposed P zone on 4 acres will resolve the existing zoning inconsistency. The proposal is also consistent with the General Plan Land Use Goals and Objectives LU-1A, which encourages a balance of land uses throughout the City.

ENVIRONMENTAL DETERMINATION

Pursuant to Section 15332 (In-Fill Development Projects) of the California Environmental Quality Act (CEQA) Guidelines, this project is exempt from CEQA.

ALTERNATIVES CONSIDERED

The Planning Commission has the following alternatives to recommend to City Council:

1. Recommend approval of the proposed rezone. The proposed rezone is found to be in conformity with the City's General Plan and Zoning Code. The approval of the requested action would allow the subject property to be used as a private parking lot.
2. Recommend denial of the proposed rezone. The existing CL zoning on the westerly portion of the property will remain inconsistent with the Public/Institutional land use designation and the inconsistency issue would not be resolved.

CONCLUSION

The P zoning would resolve an existing General Plan/Zoning inconsistency and would allow the future use of the project site as a parking lot by the adjacent Connell Chevrolet dealership. Therefore, staff concludes that the rezone is consistent with the City's 2000 General Plan and no impacts are anticipated.

Attachments: ~~1. Draft Planning Commission Resolution~~
 ~~Exhibit "A" - Draft Findings~~
 ~~Exhibit "B" - Proposed Zoning Map~~
 ~~2. Site Photographs of Subject Property~~
 ~~3. Figure 1: Vicinity Map~~
 ~~Figure 2: Existing Zoning Map~~

cc: Deputy City Manager-Dev. Svs. Director
 Sr. Deputy City Attorney
 Staff (4)
 File (2)

Tom Denman
1922 E. Chapman Avenue
Orange, CA 92867

Coast Community College District
c/o Kenneth Yelesias
1370 Adams Avenue
Costa Mesa, Ca 92626

File: 071006R0602	Date: 06282006	Time: 5:00 PM
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